

CONTROL OF DOGS (SCOTLAND) ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 8: Scottish dog control database

46. **Section 8** gives the Scottish Ministers the power to establish a national database of dog control notices (“the Scottish dog control database”). The database is to hold information from all local authorities relating to dog control notices in Scotland.
47. Subsection (1) provides that the power can be exercised only following consultation with local authorities and other appropriate stakeholders. Subsection (1)(a) limits the exercise of the power to the establishment, maintenance, operation, management and control of the database and subsection (1)(b) enables the appointment of a database operator.
48. Subsection (3) provides an illustrative list of what an order under subsection (1) may include. For example, it can enable Scottish Ministers to permit or require a person to have access to the database for research purposes. Power is also given to enable information to be disclosed by local authorities for inclusion on the database and for that information to be shared with other local authorities, the Scottish Ministers and the police.
49. In terms of section 17(1) and (2), the order making power under section 8 is exercisable by statutory instrument and subject to affirmative resolution procedure.